

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOHN E. BARNHOUSE,

Plaintiff,

v.

ELDON VAIL, *et al.*,

Defendants.

No. C09-5154 RJB/KLS

ORDER DENYING MOTION TO  
CORRECT ERROR AND OBJECTION

Before the court is Plaintiff's "Motion to Correct Error and Objection" (Dkt. 106), in which Plaintiff John Barnhouse states that the court has failed to properly serve his amended complaint. Dkt. 106. Mr. Barnhouse reaches this conclusion because Defendants used "Barnhouse v. John Does" on their notice of appearance. Mr. Barnhouse also seeks a change of venue.

On December 9, 2009, the District Court noted that Plaintiff named eleven defendants, provided marshal forms for the eleven defendants, and ten copies of the relevant complaint, which is docketed at No. 48 in the record. Dkt. 70, p. 1. The case was then referred to the undersigned for further proceedings. *Id.*, p. 2. On December 10, 2009, the undersigned directed service by the U.S. Marshal of the relevant complaint and marshal forms. Dkt. 71.

Plaintiff is correct that the court's docket sheet still shows that "John Does 3 Prison Guards" and Charles L. Malone are named as Defendants even though they are no longer named

1 as defendants in Plaintiff's Amended Complaint. The docket sheet shall be corrected to properly  
2 correct the named parties.

3 Plaintiff also requests "a change of venue." Dkt. 106, p. 1. Plaintiff has provided no  
4 authority for the transfer of his case from the Western District of Washington.

5 Accordingly, it is **ORDERED**:

6 (1) The Clerk of the Court is directed to correct the docket to properly reflect the  
7 named Defendants in this action and shall send to Plaintiff a copy of the docket sheet reflecting  
8 service of the Amended Complaint.  
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10 (2) Plaintiff's motion to correct error and change of venue (Dkt. 106) is **DENIED**.

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12 DATED this 15th day of March, 2010.

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15 Karen L. Strombom  
16 United States Magistrate Judge  
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